

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1804.3.B.3 to permit a side yard setback of 27 feet in lieu of the required 50 feet and a front yard setback of 60 feet to the center of the road in lieu of the required 75 feet.

of the Zoning Regulations of Baltimore County to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

The existing 50' side yard setback would make any addition to the southern half of the house impossible - this is the only practical side to add onto given the existing internal layout

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/We are the legal owner(s) of the property, which is the subject of this Petition.

Contract Purchaser: _____
(Type or Print Name)

Signature: _____
(Type or Print Name)

Address: _____
City and State: _____

Attorney for Petitioner: _____
(Type or Print Name)

Signature: _____
City and State: _____

Address: _____
City and State: _____

Attorney's Telephone No.: _____
Address: _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1982, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1982, at _____ o'clock _____ A.M.

Zoning Commissioner of Baltimore County.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: 2-11-82

Posted for: Simon G. Statter, et ux

Petitioner: Simon G. Statter, et ux

Location of property: N.E. side of Wiltonwood Road, 280' +/- E of Stevenson Road

Location of Sign: on front of 2800 Wiltonwood Road

Remarks: _____

Posted by: J. Robert Jones Date of return: 2-12-82

Number of Signs: 1

IN RE: PETITION FOR ZONING VARIANCE •
NE/S Wiltonwood Road, 280' +/-
E of the c/l of Stevenson Road •
(2010 Wiltonwood Road)
3rd Election District •
3rd Councilmanic District •
Simon G. Statter, et ux •
Petitioners •

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 88-248-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 27 feet in lieu of the required 50 feet and a front yard setback of 60 feet to the center of the road in lieu of the required 75 feet, as more particularly described on Petitioner's Exhibit 1.

The Petitioners, by Simon G. Statter, appeared and testified. There were no Protestants.

Testimony indicated that the Petitioners have owned the subject property, zoned R.C. 5, for the past 10 years. The property is currently improved with an existing dwelling to which the petitioners propose constructing a 750 sq.ft. one-story addition. Mr. Statter indicated that additional living space is needed and due to the unique characteristics of the property, the proposed addition can only be constructed partially in the side yard as shown in Petitioner's Exhibit 1. Petitioner submitted as Petitioner's Exhibit 2 a letter of support from the adjoining property owner which indicated he has no objection to the requested variance.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, it is the opinion of the Deputy Zoning Commissioner that the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and therefore, the variances should be granted. There is no evidence in the record that the requested variances would adversely affect the health, safety, and/or general well-being of the community.

ORDER RECEIVED FOR FILING
DATE 2/11/82
BY J. Robert Jones

fare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons stated above, the requested variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 9th day of March, 1982 that a side yard setback of 27 feet in lieu of the required 50 feet and a front yard setback of 60 feet to the center of the road in lieu of the required 75 feet, in accordance with Petitioner's Exhibit 1, be approved, and as such, the Petition for Zoning Variance is hereby GRANTED, subject, however, to the following restrictions:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

ORDER RECEIVED FOR FILING
DATE 2/11/82
BY J. Robert Jones

DEED OF TRUST

PURCHASE MONEY
THIS DEED OF TRUST is made this _____ day of February, 1978, among the Lender, SIMON G. STATTER and JUDITH STATTER, his wife (herein "Borrowers"), HELEN HENDERSON and PHILIP E. STACEHOUSE (herein "Trustees"), and the Beneficiary, THE FIRST NATIONAL BANK OF MARYLAND, a National Banking Association, duly organized under the banking laws of the United States, whose address is 25 South Charles Street, Baltimore, Maryland (herein "Lender").

BORROWER, in consideration of the indebtedness herein recited and the trust herein created, irrevocably grants and conveys to Trustee, in trust, with power of sale, the following described property located in the County of _____ State of Maryland:

BEGINNING for the same on the northeast side of a road, 30 feet wide, at the end of the north 43 degrees 09 minutes west 50 foot line of the parcel of land described in a Deed from The Wiltonwood Development Company to Heatt Graham Gaston and wife, dated May 16, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1458, folio 352, and running thence with and binding on said 30 foot road, north 43 degrees 09 minutes west 179 feet and northwesterly by a line curving toward the south with a radius of 181 feet for a distance of 139 feet (the chord of said curve line bears north 65 degrees 09 minutes west 136 feet) to another road, 30 feet wide, thence north 15 degrees 35 minutes east binding on the east side of said road, 51 feet to the southeast side of a road, 40 feet wide, laid out in Deed from The Wiltonwood Development Company to Heatt Graham Gaston and wife, dated August 13, 1945 and recorded as aforesaid in Liber R.J.S. No. 1412, folio 126, thence binding on said road, with the right to use the same in common with others, north 74 degrees 34 minutes east 257.6 feet to a pipe row set at the end of a line drawn north 43 degrees 09 minutes west 117 feet from the end of the north 02 degrees 40 minutes west 125 foot line south 43 degrees 09 minutes east 117 feet to said Gaston's lot, thence binding on the outlines of the land described in said Deed, reversely south 02 degrees 40 minutes east 125 feet and south 46 degrees 51 minutes west 140 feet to the line on being known as No. 2010 Wilton Wood Road.

BEING all and the same property which by deed of even date herewith and recorded among the Land Records of Baltimore County prior hereto was granted and conveyed by Rhona F. Bacharach, widow, unto the said Simon G. Statter and Judith Statter, his wife, in fee simple.

CONFORMED COPY OF NOTE AND DEED OF TRUST RECEIVED AT TIME OF SETTLEMENT

which has the address of _____ 2010 Wilton Wood Road _____ Stevenson Maryland, 21153 _____ (herein "Property Address"). ("Such property having been purchased in whole or in part with the same secured hereby").

Trustees with all the improvements now or hereafter erected on the property, and all easements, rights, appurtenances, rents (subject however to the rights and authorities given herein to Lender to collect and apply such rents), royalties, mineral, oil and gas rights and profits, water, water rights, and all fixtures now or hereafter attached to the property, all of which, including replacements and additions hereto, shall be deemed to be and remain a part of the property covered by this Deed of Trust; and all of the foregoing, together with said property (or the leasehold estate if this Deed of Trust is on a leasehold) are herein referred to as the "Property".

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3rd Date of Posting: December 18, 1987

Posted for: Simon G. Statter

Petitioner: Simon G. Statter

Location of property: 2010 Wiltonwood Rd. N.E. side of Stevenson Rd.

Location of Sign: on front of 2010 Wiltonwood Rd.

Remarks: _____

Posted by: J. Robert Jones Date of return: December 30, 1987

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD, _____ Dec 17, 1987

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on _____ Dec 17, 1987.

THE JEFFERSONIAN,

Brian Andrew Abreit
Publisher

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the proposed rezoning of the property described herein in Room 108 of the County Office Building located at 111 W. Christopher Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
NE/S Wiltonwood Road, 280' +/- E of Stevenson Road
(2010 Wiltonwood Road)
3rd Election District
3rd Councilmanic District
Simon G. Statter, et ux
Petitioners

The hearing will be held on _____ day of _____, 1982, at _____ o'clock _____ A.M. in the County Office Building, Room 108, Towson, Maryland.

The purpose of the hearing is to receive testimony and evidence from the Petitioner and any interested parties regarding the proposed rezoning. The Petitioner is required to appear at the hearing and present evidence in support of the petition. The hearing will be held in public and all interested parties are invited to attend.

APERS OF MARYLAND, INC.
Id. Feb. 11, 1988
Indexed - Reg. #M10771 P.O. #96305
EXCEEDED 30 DAY PREVIOUS
Y. 1988, in the
a daily newspaper published
ster, Carroll County, Maryland.
weekly newspaper published
in Baltimore County, Maryland.
weekly newspaper published
in Baltimore County, Maryland.
PERS OF MARYLAND, INC.
Simon G. Statter

NOTICE OF HEARING

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NE/S Wiltonwood Road, 280' +/- E of Stevenson Road
(2010 Wiltonwood Road)
3rd Election District
3rd Councilmanic District
Simon G. Statter, et ux
Petitioners

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PERS OF MARYLAND, INC.
Simon G. Statter

Mr. Simon G. Statter
2010 Wiltonwood Road
Stevenson, Maryland 21153

RE: Petition for Zoning Variance
NE/S Wiltonwood Road, 280' +/- E of Stevenson Road
3rd Election District; 3rd Councilmanic District
Case No. 88-248-A

Dear Mr. Statter:

Enclosed please find the decision rendered on the above-referenced case. The Petition for Zoning Variance has been granted, subject to the restriction noted in the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal to the County Board of Appeals. For further information on filing an appeal, please contact this office.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
of Baltimore County

AMH/bjs
Enclosures
cc: People's Counsel
File

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353
J. ROBERT HAINES
ZONING COMMISSIONER

November

Mr. Simon G. Statter
2010 Wiltonwood Road
Stevenson, Maryland 21153

RE: Petition for Zoning Variance
NE/S Wiltonwood Road, 280' E of c/l of Stevenson Road
3rd Election District; 3rd Councilmanic District
Case No. 88-248-A

Dear Mr. Statter:

This is to advise you that _____ is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 41576

DATE 2/4/87 ACCOUNT 01-615

AMOUNT \$ 35.00

RECEIVED FROM SIMON STATTER

FOR FILING FEE CO. VARIANCE 1744 97

8865*****35021a 8064F

VALIDATION OR SIGNATURE OF CASHIER

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Case number: 88-248-A
Petition for Zoning Variance
NE/S Wiltonwood Road, 280' E of c/l Stevenson Road
(2010 Wiltonwood Road)
3rd Election District - 3rd Councilmanic District
Petitioners: Simon Statter, et ux
DATE/TIME: ~~THURSDAY~~ MARCH 4, 1988 at 9:00 a.m.

Variance to permit a side yard setback of 27 feet in lieu of the required 50 feet and a front yard setback of 60 feet to the center of the road in lieu of the required 75 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of
Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

December 28, 1987

Mr. Simon G. Statter
2010 Wiltonwood Road
Stevenson, Maryland 21153

Re: Case number: 88-248-A
Petition for Zoning Variance
2010 Wiltonwood Road

Dear Mr. Statter:

As you are aware, the scheduled hearing date of 1-7-88 was postponed pursuant to your request. The matter has been reset and, if you have not been notified of the new date, you will be notified shortly.

Please be advised that the postponement request was not received in sufficient time to halt posting and advertising of the previously scheduled date. Therefore, the Petitioner is legally liable for these costs.

Kindly forward a check in the amount of \$66.00, made payable to Baltimore County, Maryland at your earliest convenience.

Your anticipated cooperation is appreciated.

Very truly yours,
J. Robert Haines
Zoning Commissioner of
Baltimore County

file

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
3rd day of November, 1987

J. Robert Haines
ZONING COMMISSIONER

Petitioner Simon G. Statter
Petitioner's Attorney

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

December 23, 1987

Mr. Simon G. Statter
2010 Wiltonwood Road
Stevenson, Maryland 21153

Dear Mr. Statter:

Re: Hearing Notice Correction

In reference to Case Number: 88-248-A, please note that the Hearing Notice should read as follows:

DAY: Friday

DATE: March 4, 1988

TIME: 9:00 a.m.

OFFICE OF ZONING
Baltimore County
(301) 494-3394

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
NE/S Wiltonwood Road, 280' E of c/l of Stevenson Road
(2010 Wiltonwood Road)
3rd Election District; 3rd Councilmanic District
Simon G. Statter - Petitioner
Case No. 88-248-A
Thursday, January 7, 1988 at 11:00 AM

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Mr. Simon G. Statter
2010 Wiltonwood Road
Stevenson, Maryland 21153

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353
J. Robert Haines
Zoning Commissioner

December 14, 1987
FEB 23 1988

Mr. Simon G. Statter
2010 Wiltonwood Road
Stevenson, Maryland 21153

RE: Simon G. Statter, et ux
NE/S Wiltonwood Road, 280' E of c/l of
Stevenson Road (2010 Wiltonwood Road)
Petition for Zoning Variance
Case No. 88-248-A

Dear Mr. Statter:

Please be advised that \$35.00 is due for advertising and posting of the above-referenced property. All advertising and posting fees must be paid prior to the hearing. Do not remove the sign(s) from the property from the time it posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and forward to the Zoning Office, County Office Building, Room 113, Towson, Maryland 21204.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 50281

DATE 2/4/88 ACCOUNT Robert Haines

AMOUNT \$ 163.00

RECEIVED FROM Simon G. Statter

FOR Filing Fee and Advertising Fee

8865*****16301a 8064F

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. J. Robert Haines
TO: Zoning Commissioner

Date: November 23, 1987

Norman E. Gerber, AICP
FROM: Director of Planning and Zoning

Zoning Petitions No. 88-256-A, 88-249-A
SUBJECT: 88-248-A, 88-247-A, 88-246-A, 88-245-ST

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber, AICP
Director

NEG:JGH:dme

cc: Ms. Shirley M. Hess, Legal Assistant, People's Counsel
File

CPS-008

October 2, 1987

Mr. Simon Statter
2010 Wiltonwood Road
Stevenson, Maryland 21153

Dear Simon,

Thank you for reviewing the plans with me regarding your addition to your residence. I have no objections to them, and support your request for a zoning variance.

Sincerely,

Leonard Wachs
Leonard Wachs
2012 WILTONWOOD RD.
STEVENSON, MD.
21153

**PETITIONER'S
EXHIBIT 2**

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3554

October 5, 1987



Dennis F. Rasmussen
County Executive

Zoning Commissioner
County Office Building
Towson, Maryland 21204

Meeting of September 22, 1987

Dear Zoning Commissioner:

The Bureau of Traffic Engineering has no comments for items number 96, 97, 98, 99, 100, 101, 102, 103, 104, and 105.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF:sb

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

December 23, 1987

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Mr. Simon G. Statter
2010 Wiltonwood Road
Stevenson, Maryland 21153

RE: Item No. 97 - Case No. 88-248-A
Petitioner: Simon G. Statter
Petition for Zoning Variance

Dear Mr. Statter:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kbb

Enclosures

cc: Arthur D. Valk, III
7910 Sherwood Avenue
Baltimore, Maryland 21204

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Runcke
Chief

September 22, 1987



Dennis F. Rasmussen
County Executive

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Simon Statter, et ux

Location: NE/S Wiltonwood Road, 280' +/- E c/l Stevenson Road

Item No.: 97

Zoning Agenda: Meeting of 9/22/87

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

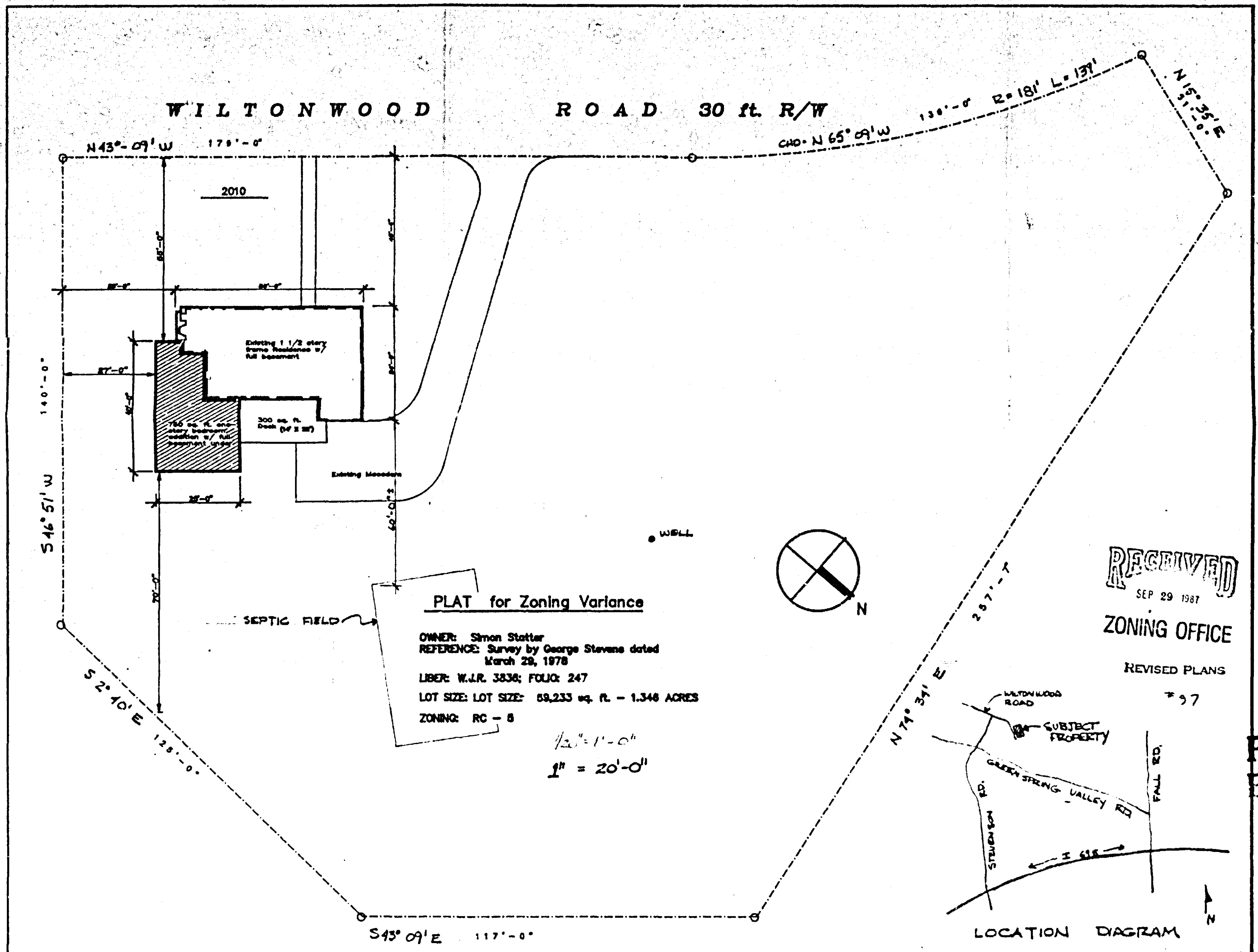
() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John E. Kelly* 9/22/87
Planning Group
Special Inspection Division

Noted and
Approved: *John E. Kelly*

Fire Prevention Bureau



FILE NO: 97

PETITIONER'S EXHIBIT 1

SITE PLAN

12/21/87

A-1